

# MISS GARDEN REFUSES OPERA TRUCE 250 ORPHANS ARE SAVED FROM FIRE

WEATHER—Cloudy and mild to-night and Friday.

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## The World

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PRICE ONE CENT.

## 250 ORPHANS SAVED FROM PERIL BY FIRE IN ASYLUM

Perfect Drill Answers Alarm  
at College Point  
Institution.

SHELTERLESS IN SNOW.

Bethlehem Inmates Mostly  
Were Bereft of Parents by  
Slocum Disaster.

A fire in the Bethlehem orphanage at College Point, Brooklyn of Queens, early today drove 250 children and thirty-seven adults from the building in their night clothes. The fleeing inmates and servants of the asylum were chilled through before Toppenshusen Institute and Brinkman's Hotel, near by, were thrown open to them.

Prompt responses by the firemen to an alarm saved the orphanage from destruction. The fire was confined to a cupola, and after an hour the children were allowed to return to the building. Most of them are suffering from bad colds this afternoon and coughs.

The Bethlehem orphanage is a big rambling two-story structure at Second Avenue and Third Street, College Point, near the shore of Long Island Sound. It is maintained by St. Mark's German Lutheran Church in Sixth Street, Manhattan, the same institution which gave the Sunday school extension that resulted in the Slocum disaster. Many of the 250 homeless little ones in the institution were bereft of their parents in the Slocum horror.

**Timely Alarm Saved Many.**  
The orphanage is in charge of Rev. William Kreamer. He sleeps on the top floor. At 4 o'clock this morning he was awakened by a smell of smoke. Quick investigation established that there was a fire in a cupola above the roof level and used as a store-room for the children's clothes.

Because of the hazardous nature of the building the inmates are kept up to a steady proficiency in fire drill. Dr. Kreamer sounded the drill call the moment he discovered the fire. The children tumbled out of their beds, and without waiting to put on anything over their nightgowns formed in line and marched out through the smoky corridors. Dr. Kreamer says the building was emptied in three minutes.

Some of the servants failed to hear the first alarm and were the last to leave.

**Shivered in Light Garments.**  
Out into the snowy grounds and a stiff, chill breeze blowing off Long Island Sound, the children tramped. They were lined up on the lawn and hurriedly checked off by the teachers and monitors, after which they were marched across the street to be out of the way of the firemen, who were just arriving.

The public fire department system has been recently inaugurated in College Point and the apparatus was all in good working order.

The firemen were out to make a record. They swarmed up to the cupola, chopped it to pieces, filled it with water and incidentally nooded a considerable part of the building. The damage by fire and water will not amount to more than \$500.

**SAVANNAH RESULTS.**  
FIRST RACE—For four-year-olds and upward; six furlongs—Baby Willie, 108 (McCabe), 1 to 10 and out; 1 Lady Fitz (Berth), 108 (Burns), 5 to 1 and out; 2 McEldred, 110 (C. White), 5 to 1 and out; 3 Time-1:17.25. Only three starters.

SECOND RACE—About seven furlongs; Purse \$1,200; three-year-olds and upward—Miss Marjorie, 108 (Murphy), 2 to 1 and out; 1 Spring Fox, 102 (Dunlap), 3 to 1 and out; 1 to 10 and out; 2 second, Charles (C. White), 120 (Slack), 1 to 1 and out; 3 Time-1:21.5. Miss K. O. R. and away also ran.

THIRD RACE—Purse for four-year-olds and upward; one mile—Ladies, 120 (Byer), 2 to 1 and out; 1 Spring Fox, 102 (Dunlap), 3 to 1 and out; 1 to 10 and out; 2 second, Charles (C. White), 120 (Slack), 1 to 1 and out; 3 Time-1:21.5. Flinnap, Renora, W. G. Williams also ran.

## WOMAN IN FLAMES CARRIED DOWN LADDERS BY FIREMAN

Revolver Shot Gives First Alarm of Blaze in Bronx Flat-house and Call Heroes to Rescue Imperilled Tenants as Flames Shoot Up Shatts to Roof.

A fire in the five-story flat house at No. 84 Eighth Avenue, the Bronx, this afternoon, was full of thrills, narrow escapes and lightning action. To make the situation more exciting the blaze was directly across the street from the Helene Infant Asylum.

The flat house is owned by Conrad Muller, who lives on the second floor. He went down to the basement to attend the furnace at 3:30 o'clock. On his way he passed a boy who lives in the house coming from the cellar on a run. Mr. Muller opened the door of the boiler room and was met by a burst of flame and smoke that singed his beard. He ran to the street, leaving the door open and began to fire a revolver.

**Revolver Alarm Sufficed.**  
Policeman Harmon, a block away, hearing the revolver shots, blew his whistle and rapped with his club on the pavement. The noise aroused the whole neighborhood, and as the people ran to the street they saw smoke pouring from the Muller apartments.

The families on the lower three floors escaped without difficulty. Mrs. August Baker, on the fourth floor, stopped to rescue her two dogs and two cats, and Mrs. T. Murray, on the top floor, who weighs 250 pounds, was afraid to entrust herself to the fire-escape. The flames burst up the dumbwaiter shaft and the asphalt, spreading through the upper floors.

## BREEN WANTS TO HELP IN WAR ON MOVING PICTURES

Withholds Decision in Tottoro Case, Though, Till He Can  
Look Up Law, After Expressing His General Views on  
the Subject—Minors Visited Prisoner's Place.

In order to look into the law on the moving picture question, Magistrate Breen withheld decision this afternoon in the case against Jaspasia Tottoro, alleged manager of a show at No. 233 Avenue A, arrested on a charge of permitting minors to enter the place unaccompanied. The arrest resulted from a complaint made by Mr. John Edwards, pastor of the Church of the Immaculate Conception, in East Fourteenth Street.

Tottoro was charged with violating section No. 26 of the Penal Code, and his lawyer contended that this section did not apply to moving pictures, which, he said, were instructive. After hearing motions by Lawyer Murphy, of the Public Legal Bureau, and by counsel for the prisoner, Magistrate Breen took to papers and said that he would give a decision later.

## CANNIBALISM AND MURDER CHARGED AGAINST TRAPPER

Prisoner in Canadian Jail Accused of Killing His Friend and  
a Guide and Eating Portions of the Bodies of His Two Victims.

MONTREAL, Jan. 21.—The Attorney General of Quebec Province has been notified of the capture of a Belgian trapper named Grasses, accused of murder and cannibalism, and his detention at Port Albany, a Hudson Bay Company post on St. James Bay. Orders have been forwarded to detain the prisoner until spring, when he will be brought up for trial. Grasses is charged with murdering and eating portions of the bodies of a French companion named Bernard and a guide named Lemieux who accompanied him to the Chibougamou country a year and a half ago.

## ARCHER, ACCUSED OF \$70,000 FORGERY, TO BE EXTRADITED

Prosecutor Mott, of Newark, today refused information that the new Governor of the State of Washington is willing to honor a requisition for Elliott A. Archer, now a resident of Seattle, who is wanted here to answer to an indictment charging him with forgery of warehouse receipts to the amount of about \$70,000. Archer has been absent from Newark for about five years and is said to be interested in Seattle political affairs and in a power company of that city.

Ex-Gov. Meade, of Washington, refused to grant the requisition for Archer, which was issued some time ago by Gov. Fort of New Jersey.

**ANTI-RACE TRACK BILL  
PASSES IN CALIFORNIA.**

SACRAMENTO, Cal., Jan. 21.—The Walko anti-race track bill passed the House today by a vote of 21 to 10. A motion to reconsider was made which delays the sending of the bill to the Senate where the real test on the bill will occur. The measure is similar to the New York law.

Ex-Gov. Meade, of Washington, refused to grant the requisition for Archer, which was issued some time ago by Gov. Fort of New Jersey.

## SHELLARD JURY OUT; NO FIRST DEGREE VERDICT

Premeditation, Necessary to  
Conviction for Highest  
Crime, Not Shown.

POLICE ARE SCORED

Mr. Roy in Summing Up  
Declares They Broke Oaths  
to Shield Accused Man.

The case of David Shellard, the former policeman on trial in Brooklyn on a charge of killing Barbara Ring in Irving Square Park, was given to the jury at 3:05 o'clock this afternoon. Justice Crane in his charge told the jury to disregard the indictment charging murder in the first degree and consider only the guilt of the defendant of murder in the second degree or manslaughter.

There was no evidence, the Court held, to establish premeditation, a necessary element in first degree murder. The judge's charge dealt only with the legal aspect of the case and was considered by the defense to be more than fair.

**Shellard's Own Story.**  
The case was practically closed last night when Shellard testified in his own behalf. He told in detail his story of how Barbara Ring, after he had refused to listen to her protestations of love and suggestions of elopement, grabbed his revolver and shot herself through the head with it. Cross-examination did not twist his circumstantial recital in the slightest degree.

Five witnesses were called in rebuttal and sur-rebuttal today. Three of them—Mrs. Thompson, a sister of Barbara Ring, the most important positively contradicted the testimony given yesterday by Sadie Lee, who swore that she had seen the Grand Jury at the request of the Ring family to save the memory of Barbara from disgrace. Sadie Lee is the girl who swore that Barbara made frequent suicide threats between last February and the date of the tragedy.

Dr. Ludwig Koepf, of No. 55 West 100th Avenue, said that Barbara Ring, despite her crippled hand, might have been able to shoot herself with Shellard's revolver. He had treated the injured hand after the accident in the factory when she crushed three of the fingers.

**Court Rules Out First Degree.**  
When both sides had rested, James R. McKim, counsel for Shellard, made the formal motion that the case be dismissed on the ground that the prosecution had failed to establish that the crime charged in the indictment had been committed. Justice Crane then made his ruling that the jury must not consider murder in the first degree in seeking to determine the extent of Shellard's guilt or innocence, and Mr. McKim began to sum up.

The astute Mr. McKim made ample and telling use of the weakness of the case of the prosecution. He laid particular stress upon the fact that the State had not shown that there was any motive for murder; that there had been every quarrel or controversy between Shellard and the girl; that there had been every criminal intimacy between them. Mr. McKim impressed on the jury that the girl knew Shellard was a married man, but persisted in following him, associating with him and writing to him.

**Shellard's Mistake.**  
"Shellard made a serious mistake," said Mr. McKim, "when he tried to conceal his knowledge of the girl's identity after she was dead. He should have come right out and told the truth. But he did what ninety-nine men out of a hundred would have done. He tried to keep the truth from the jury, and in the process he made a mistake."

Mr. McKim summed up for the prosecution devoted some time to a discussion of the remarkable police testimony in the case. He declared that it was a case of the people of New York on one side and a strong, outboard organization of paid police servants on the other. There are hundreds—perhaps thousands—of good policemen," said Mr. McKim, "who feel that they are doing their duty. But you must say whether or not the few who are bad are to be protected from the law of the State."

Mr. McKim's summing up for the defense was a masterpiece. He made a double duty to perform here. You must determine the guilt or innocence of the defendant. But of far more importance, you must say whether or not the community is to be protected from the law of the State. You must determine the guilt or innocence of the defendant. But of far more importance, you must say whether or not the community is to be protected from the law of the State.

**Five New Turkish Baths**  
Now open at the new Pullman Building. Only one-half price. Electric and Turkish baths in every detail. Also barber shop, open day and night.

Six full pages, new pictures of the world's greatest athletes. In Collier's, January 23rd. Ad. 10c a copy.

## New Superintendent of Insurance. Who Succeeds Otto Kelsey.



FREDERICK A. WALLIS.

## FIRES 30 SHOTS AND TERRORIZES NEIGHBORHOOD

August Harris, Husband of  
Janitress, Shoots Up Base-  
ment of Tenement House.

August Harris, a giant, more than six feet tall and weighing nearly 300 pounds, made a shooting gallery out of the basement of the two-story tenement at No. 105 East Eleventh Street this afternoon.

In the course of half an hour he fired about thirty shots, most of them directed at an old hat hanging on the wall of the front room. The whole neighborhood was terrorized and the excitement continued after three policemen had rushed and disarmed him, for he put up a terrific fight before he was rendered tractable.

Harris, a former brewery employee, is the husband of the janitress of the house. He went out early today and when he returned, shortly before noon, announced that he was going to hold a private seizure. At the same time he displayed a .38 caliber revolver and a handful of cartridges.

Mrs. Harris discreetly withdrew, appointing to a tenant whom she met on the sidewalk that she was going to visit relatives in Hoboken. About an hour after her departure August began his target practice.

He fired five shots at intervals of about a minute. The fifth shot found all the tenants hanging out of the windows and the street in front of the house filling up with people. More shots brought more people, and soon the street was impassable.

It was rumored that a crazy man in the basement was killing his family. After every shot August uttered a bloodcurdling yell and the crowd shivered. The tenants looked their rooms and fled, fearing he might wander upstairs and continue his pastime.

Policemen Eason and Reilly, of the Fifth Street station, with a plain clothes officer, arrived on the scene after a time. They looked the front door and found it locked. Then they went through the house, descended to the rear yard and broke in through the back door. The basement was full of powder smoke and bullet holes, but there was no trace in the rooms of Harris.

He was finally found in a little entry under the front stoop of the house. There was room there for him and no more. Although his pistol was loaded, he made no attempt to shoot the policemen as they struggled to drag him out.

It was a long, hard fight to get him to the street and into a patrol wagon, and he had plenty of scalp wounds before he gave in. After registering him in the station house he was hurried to Yorkville Police Court.

## ARNOLD DALY IS KN CKED OUT IN A FISTIC BATTLE

Actor and Hamilton Mott, His  
Stage Manager, Fight for  
Twenty Minutes.

(Special to THE Evening World.)  
CHICAGO, Jan. 21.—Arnold Daly, theatrical reformer, and known for his willingness to take up a real or fancied affront, is today nursing one discolored eye, a sprained wrist and several and sundry other bruises. They were given to Mr. Daly last night, during a strictly private bout in a room at the Sherman House by Hamilton Mott, who until 3 o'clock yesterday afternoon was Mr. Daly's stage manager.

Details of the affair were kept secret today, and word of it only leaked out when Dr. Cavanaugh, house physician for the hotel, was called to attend the actor.

Daly and Mott fell out because the actor, who is starring in the "Pick-pockets" at the Grand Opera House, sent all his orders to him by his valet. Mr. Mott objected, and asked that the orders be given in person or not at all. Words followed, and yesterday afternoon during the course of the matinee Daly and the manager clashed in the former's dressing-room.

Ambrose Miller, manager of the company, interfered before there was any damage done, but Mr. Daly announced that Mr. Mott was "fired."

The latter retorted by calling the actor a "fourflush" and a few other like terms of endearment. The salutes flew back and forth until there came a challenge from Mr. Mott which Mr. Daly accepted.

They were to have met last night at the Montrose Hotel, where Mr. Mott is stopping, but after the theatre Mr. Daly went to the Sherman House and telephoned through his valet for the former manager to come downtown and "get a beating." Mr. Mott jumped into a taxicab and hurried to the hotel.

He went to the room of Emmet Corrigan, of the same company, where Mr. Miller, Mr. Daly and Mr. Corrigan were waiting. There the men stripped to the waist. They started to fight with bare knuckles, but Daly stopped. "We must have on gloves—at least wearing gloves," he said. "I don't want to send my hands into the hospital."

Mott said nothing, but put on the walking gloves, and the two went at it. Mr. Daly is smaller than Mott, and the latter is more scientific, but the better condition of the stage manager told. Four times the actor was knocked to the floor and four times he got up. Again he fell. This time he stayed down.

"I am still waiting for that kicking," Mr. Daly remarked. Mott as he dressed, said that he was called to attend Daly, who was forced to remain in the Sherman House, instead of going back to the actress, where he is stopping.

## MARY GARDEN STILL REBELLIOUS; NOT AT SALOME REHEARSAL

Prima Donna Who "Resigned" Has  
Been Appeased, Impresario Ham-  
merstein Declares, but She Con-  
tinues to Be "Indisposed."

## CAVALIERI TO SING HER ROLE IF SHE STAYS AWAY.

Will Cast Italian for "Tnais," He Says, After  
She Writes That She Is Willing to  
Withdraw to Bring About  
Peace.

Although Oscar Hammerstein declared this afternoon that the Mary Garden-Cavalieri storm had blown over and that Miss Garden had proclaimed herself appeased by his throwing over the rival prima donna and cancelling her engagement to appear as "Thais," the beautiful prima donna failed to appear at the rehearsal of "Salome" to-day.

When the rehearsal was held Mr. Hammerstein announced nervously, "Oh, yes, she will come. She will be here." But she did not appear and was sulking in her apartments when a stream of emissaries called at the Lorelei and sought to see her in Oscar's behalf.

The rehearsal had to go on without her and without any one else rehearsing her part.

All day long, despite his declarations that Miss Garden had been pacified, the impresario buzzed about in and out of his offices, like a blue-bottle fly.

When at last he became calm, he explained that Miss Garden did not so much as object to having someone relieve her in the part of Thais, which she created in this country, but that she bitterly opposed the part being given to the ends of his fingers.

After biting off the ends of his fingers and tearing off the brims of two hats, Impresario Oscar lit upon the happy solution of proposing that Mrs. Esplanade work in shifts with Miss Garden in the Thais role. To this, it is said, Mary Garden, has acquiesced. Mrs. Esplanade is a French woman.

**Doors Closed to All.**  
This, at least, is the sorely harassed Oscar's view of it. However, if he had any conversation with Miss Garden to-day after withdrawing the objectionable notice that Cavalieri would appear as Thais it was over the telephone. Not one of his emissaries was admitted to the apartment of the disgruntled prima-donna in the Lorelei, No. 85 West Fifty-sixth Street. In fact, no one was admitted there. Miss Garden was said to be indisposed.

Those living under her said the indisposition evidently did not confine her to her bed, as she had been heard from time to time pacing the floor of her suite.

"There will certainly be a performance of 'Salome,'" said Mr. Hammerstein this afternoon, "and Miss Garden will appear in it. I have cancelled my arrangement with Cavalieri to have her appear in 'Thais.' Everything is harmonious," he concluded, tearing his hair and grinding his teeth.

**May Sing Thais After All.**  
Oscar said later in the afternoon that he had received a note from Cavalieri in which she offered to withdraw entirely and give over the role of Thais to any one the impresario selects.

"Cavalieri need not feel that way about it, however," said Hammerstein. "If Miss Garden does not appear the role will go to Cavalieri."

A the Savoy Signorina Lina Cavalieri sent out word that she had a very bad cold. She permitted it to be said for her, nevertheless, that if Mr. Hammerstein had announced his contract with her she cancelled he had been guilty of extending his conversation through his hat, or something to that effect.

"I have a contract with Mr. Hammerstein," said the Italian prima donna, "calling for my appearance in six performances. I cannot say that I will appear as 'Thais,' as I have not yet received my costume from Paris. If I do not give 'Thais' it will be because my costume has not arrived."

All of which was a very graceful way of supping out of a painful situation.

## NO TIGHTS, JUST BRONZED SKIN ON THESE BEAUTIES

Prof. Ernest Brengk Gives a  
Demonstration of His Work  
Before Art Students.

The three bronze beauties mentioned in the story do not wear tight. They do not wear anything—except two yards of thin bronzed linen twelve inches wide and a layer of bronze paint.

Before a gathering of students from the Art Students' League, the New York Art School and others interested in art, Prof. Ernest Brengk, at Blaney's Lincoln Square Theatre to-day, demonstrated how some remarkable bronze figures of three young women and two men are "dressed" and "undressed."

A man and a woman were brushed over their bare skin with a white wash and a back fence. Prof. Brengk acted as valet to the men and his wife as maid to the girls. Of course, it took a little longer to get the paint from the charges of Mrs. Brengk.

After they were plastered the full programme of poses was rendered by three women and two men in bronze. The list included "Amor and Psyche," "The Charming," "The Marathon," "The Awakening," "The Dance," "The Sabines," "Natural Strength" and "Liberty."

This concluded the work of undressing the powers becom. Two small tubs were placed on the stage. Hot water and soap applied freely worked a surprisingly quick change.

The two male posers, who are professional strong men, stood in the tubs and rubbed arms and legs. The bronze rolled from the skin freely. Italia Fook, as valet to the men and his wife as maid to the girls, of course, it took a little longer to get the paint from the charges of Mrs. Brengk.

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